County of Los Angeles
CHIEF EXECUTIVE OFFICE
713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
http://ceo.lacounty.gov

WILLIAM T FUJIOKA
Chief Executive Officer

November 20, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

DEPARTMENT OF PUBLIC WORKS: DIVERSION OF LOW FLOWS FROM STORM DRAIN PROJECT NO. 3872 IN MARINA DEL REY TO THE SANITARY SEWER SYSTEM NEGATIVE DECLARATION AND AUTHORITY TO PROCEED COMMUNITY OF MARINA DEL REY (SUPERVISORIAL DISTRICT 4) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Consider the Negative Declaration for the proposed project to divert low flows from Storm Drain Project No. 3872 in Marina del Rey to the sanitary sewer system, together with the comment received during the public review period; find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment and analysis of your Board, and adopt the Negative Declaration.

2. Approve the project and authorize the Department of Public Works to carryout the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to fulfill the requirements of the California Environmental Quality Act (CEQA) for the project to construct a low-flow diversion system and reconstruct the outlet structure for Project No. 3872 in Marina del Rey and authorize the project to proceed.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide the goals of Children and Families' Well-Being (Goal 5) and Community Services (Goal 6). This project will divert low flows to the sanitary sewer system, thereby decreasing ocean water pollution. This project will enhance water quality for Marina del Rey, thereby improving the quality of life.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated cost for this project is $950,000, which includes $1,850 for the payment of the California Department of Fish and Game filing and processing fees as required under Section 21152(a) of the California Public Resources Code. The necessary funds are included in the Fiscal Year 2007-08 Flood Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The purpose of the proposed project is to divert all low flows to the sanitary sewer system, thereby decreasing ocean water pollution by eliminating the untreated discharge onto the beach and into the ocean during nonstorm conditions. The proposed project will comply with the summer and winter dry weather bacterial Total Maximum Daily Load requirements for Marina del Rey.

An environmental impact analysis/documentation is a CEQA requirement that is to be used in evaluating the environmental effects of the project and should be considered in the approval of this project. As the project administrator, the Department of Public Works is also the lead agency in terms of meeting the requirements of the CEQA.

The project involves reconstructing the outlet structure for Project 3872; installing the low-flow diversion system, which includes the channel-to-pump well diversion line, pump well, valve vault, flow meter, sampling vault, and telemetry system; and a discharge line from the Oxford Pump Station along the South Bay Bicycle Path to connect to the City of Los Angeles Sanitary Sewer located at the north end of the Oxford Basin.

Based upon the Initial Study of Environmental Factors, it was determined that the project will not have a significant effect on the environment. Therefore, approval of the attached Negative Declaration is requested.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the project in compliance with the CEQA. The initial study showed that there is no substantial evidence that the project will have a significant effect on the environment. Based on the initial study, a Negative Declaration was prepared. Public notice was published in the *Culver City News* on August 2, 2007, pursuant to Public Resources Code Section 21092. One comment was received and has been addressed in the final document. There were no organizations or individuals who previously requested notice.

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter is the County of Los Angeles Department of Public Works, Programs Development Division, 900 South Fremont Avenue, 11th Floor, Alhambra, California 91803. The custodian of such documents and materials is Mr. Edward Dingman, County of Los Angeles Department of Public Works.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4, of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the Negative Declaration, the Department of Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of $1,850.00.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed project will enhance water quality in Marina del Rey.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Programs Development Division.

Respectfully submitted,

for WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW
SA:re

Attachment

c: County Counsel
Department of Public Works (Design, Public Affairs)

FINAL

INITIAL STUDY/
NEGATIVE DECLARATION
SCH: 2007071104

Project No. 3872
Marina Del Rey Low Flow Diversion

Prepared for:

County of Los Angeles
Department of Public Works
900 S. Fremont Avenue
Alhambra, CA 91803

Prepared by:

CHAMBERS GROUP, INC.
302 Brookside Avenue
Redlands, CA 92373

SEPTEMBER 2007

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List of Figures

Modifications to the Project 3872 Outlet Structure consist of removing approximately 18 ft long by 14 ft wide reinforced concrete channel and constructing approximately 22 ft long by 18 ft wide reinforced concrete channel with a headwall. Four 42-inch diameter Tideflex check valves will be installed in the headwall to pass storm flows into Oxford Basin and prevent salt water from Oxford Basin flowing back into the diversion system.

The South Bay Bike Trail is a mixed type bicycle trail extending 22 miles along the coast, from Torrance in the south to Malibu in the north. An 850 ft stretch of the South Bay Bike Trail runs along the Proposed Project site. This portion of the trail is a Class 1 paved segment, with two lanes of traffic. The existing bicycle trail lanes may be reduced to one traffic lane for both directions from 8:30 a.m. to 3:30 p.m. Bicycle traffic will be controlled by flaggers. A bicycle detour around the construction site would be in place if the existing bicycle trail must be closed to perform the necessary work. Appropriate signs will be posted prior to the start of construction.

Steel sheet piles will be installed across the channel. Approximate 18-inch deep by 18-inch wide excavation will be required along the existing bicycle path to connect the discharge line to the Los Angeles City Sanitary Sewer. Excavation will also be required at the existing concrete channel. Construction equipment will include an excavator, backhoe loader, concrete truck, and dump truck. Construction is estimate to take approximately 60 working days to complete. The proposed construction will require excavation of approximately 5 cubic yards of material, and approximately 20 cubic yards of backfill material.

9. Surrounding Land Uses and Environmental Setting:

The Proposed Project is a storm drain that conveys storm runoff from the upstream watershed to Oxford Basin. Oxford Basin serves as detention storage for storm water runoff. Much of the local area is below sea level at high tide and if a storm event occurs during high tide then, without a sump area to provide storage, the area will flood. Oxford Basin's water level is always kept below sea level (usually at -1 to 0 foot elevation) to provide drainage for the upstream watershed.

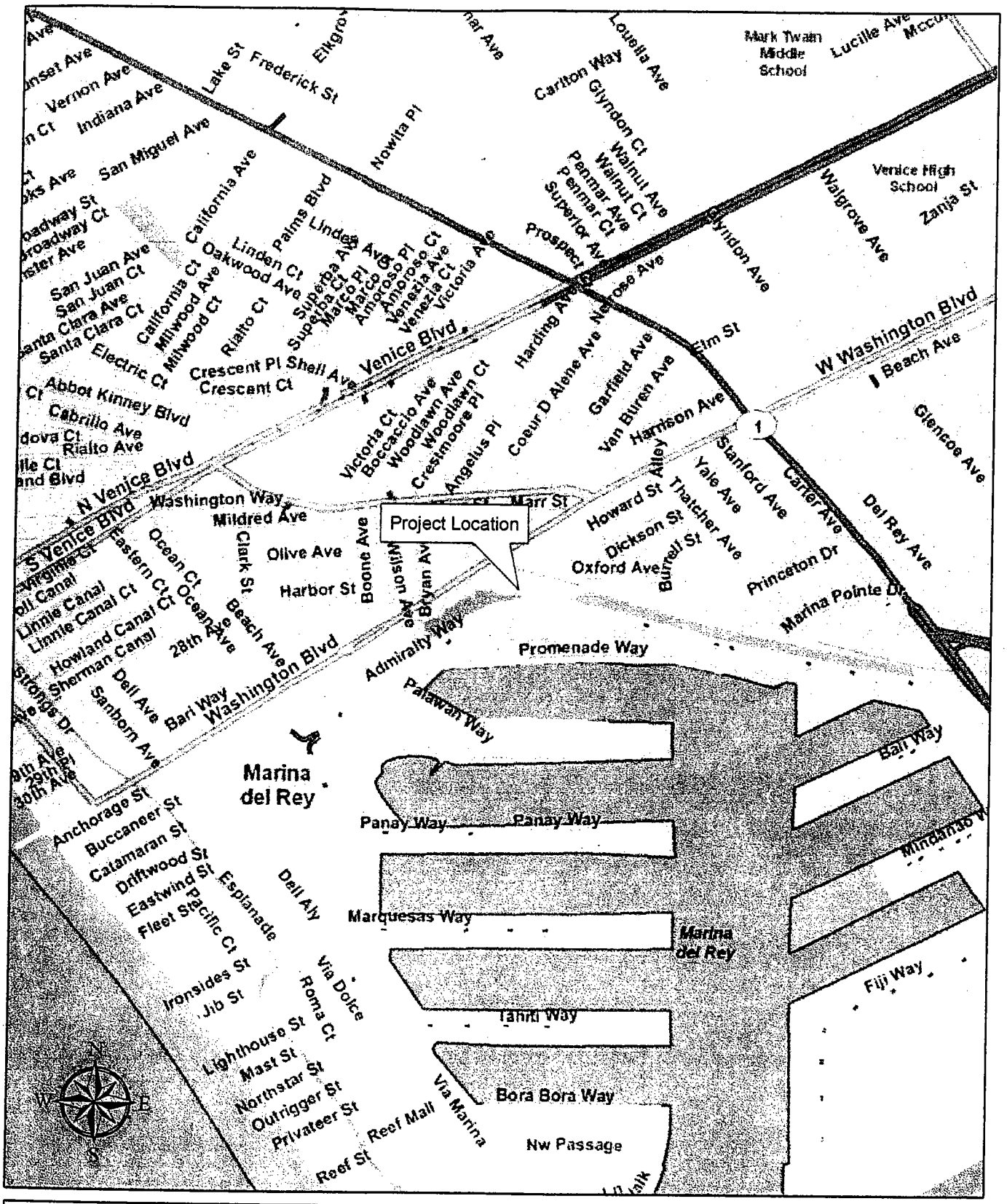
The project site is surrounded by residential and commercial land uses. There are single-family residences located to the north, west, and east of the project site. The Ritz-Carlton Marina Del Rey is located directly south of the project site and the Marina International Hotel, Jamaica Bay Inn, and Marina Del Rey Marriott are located to the south along Admiralty Way. The marina is also located south of the project site. Admiralty Park is located adjacent to the east of the project site.

10. Other Agencies Whose Approval is Required:

Agency	Permit/Approval
California Department of Fish and Game	1602 Streambed Alteration Agreement
US Army Corps of Engineers	404 Discharge Permit
Regional Water Quality Control Board	401 Water Quality Certification
California Coastal Commission	Coastal Development Permit Amendment to Permit No. 5-05-480-W

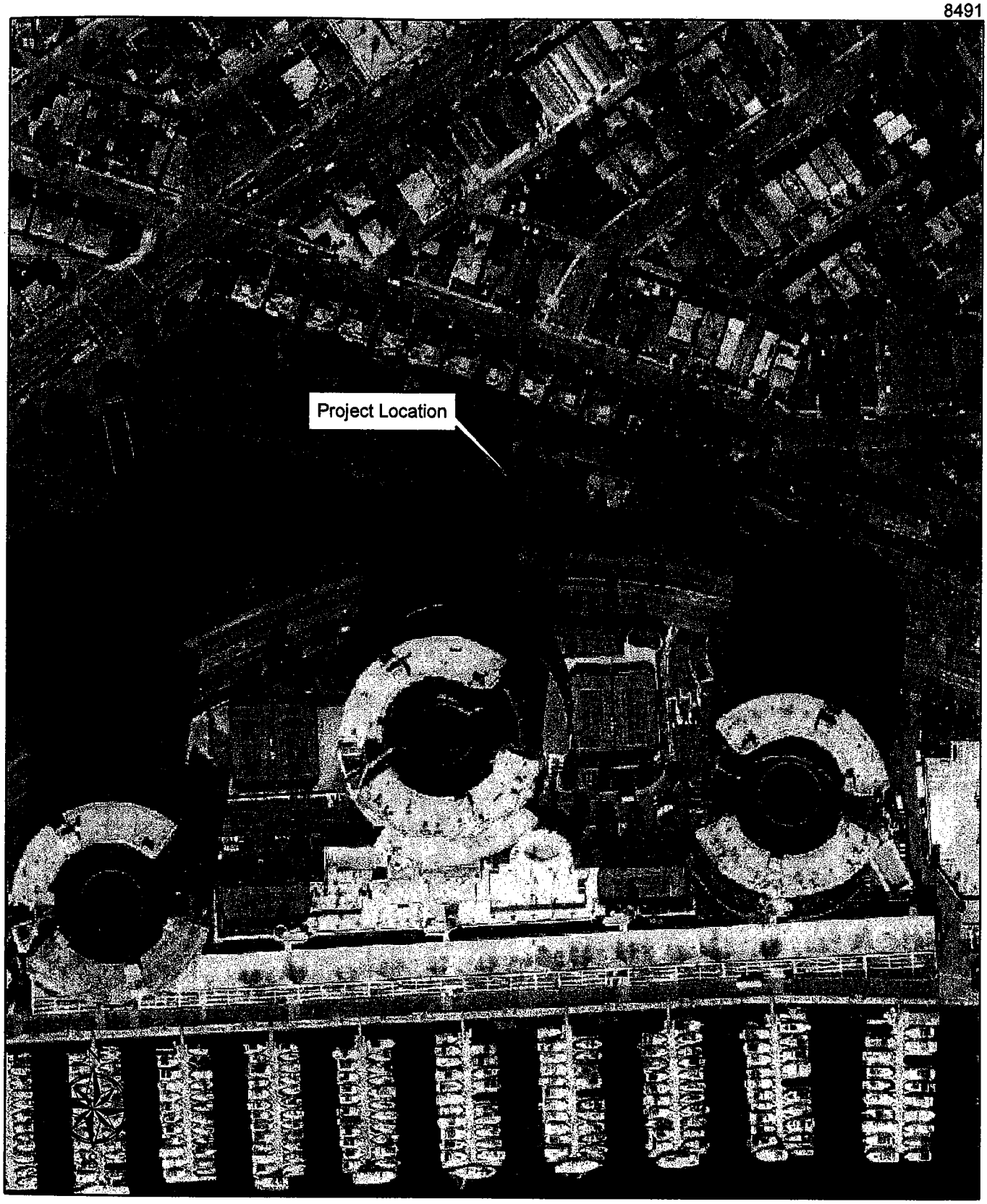
Figure 1 - Project Vicinity Map
Marina Del Rey Low-Flow Diversion Project
County of Los Angeles Public Works Department

Chambers Group, Inc.



Chambers Group, Inc.

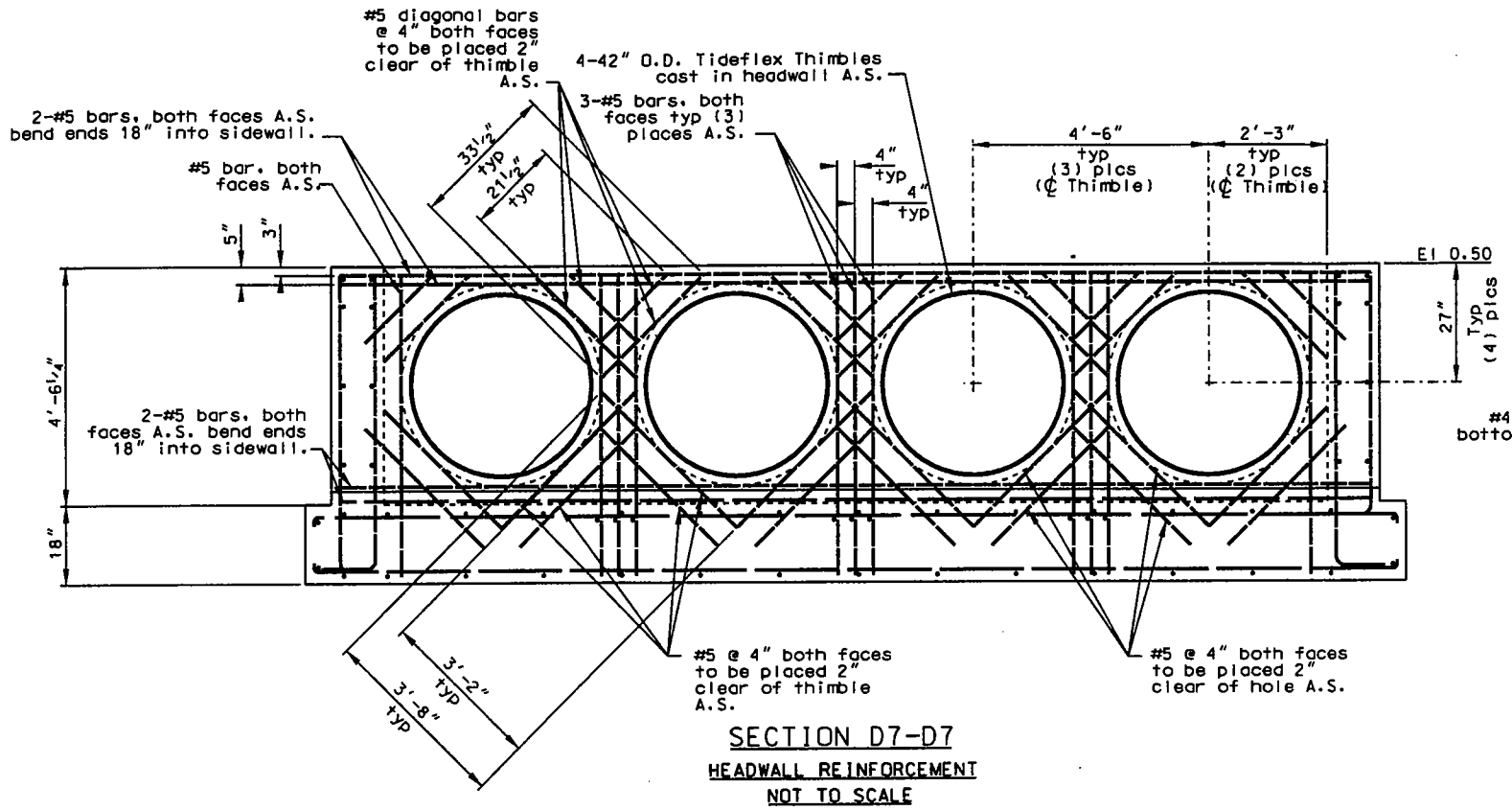
Figure 2 - Project Location Map
Marina Del Rey Low-Flow Diversion Project
County of Los Angeles Public Works Department



Chambers Group, Inc.

Figure 3 - Project Aerial Map
Marina Del Rey Low-Flow Diversion Project
County of Los Angeles Public Works Department

Image Source: USGS 2003



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HEADWALL REINFORCEMENT
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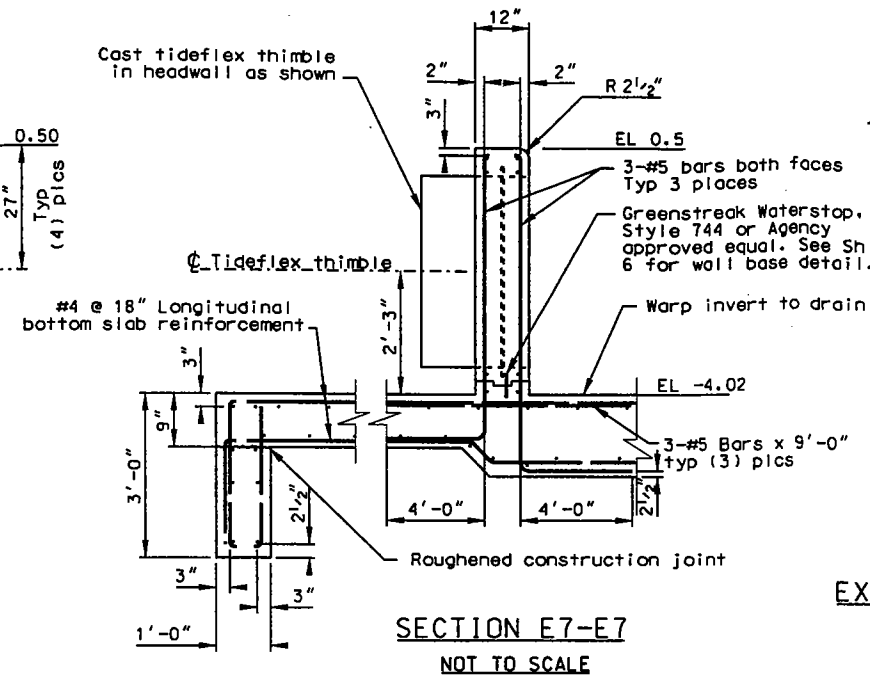

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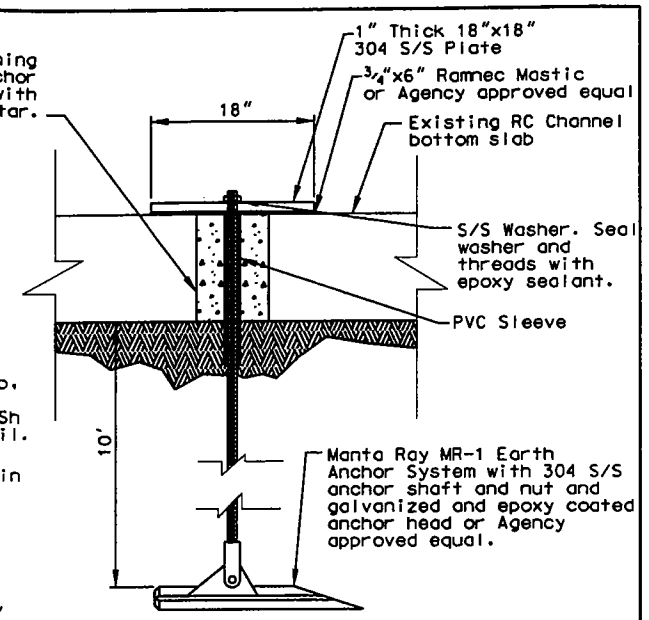

SECTION C7-C7
EXISTING CHANNEL SOIL ANCHORS
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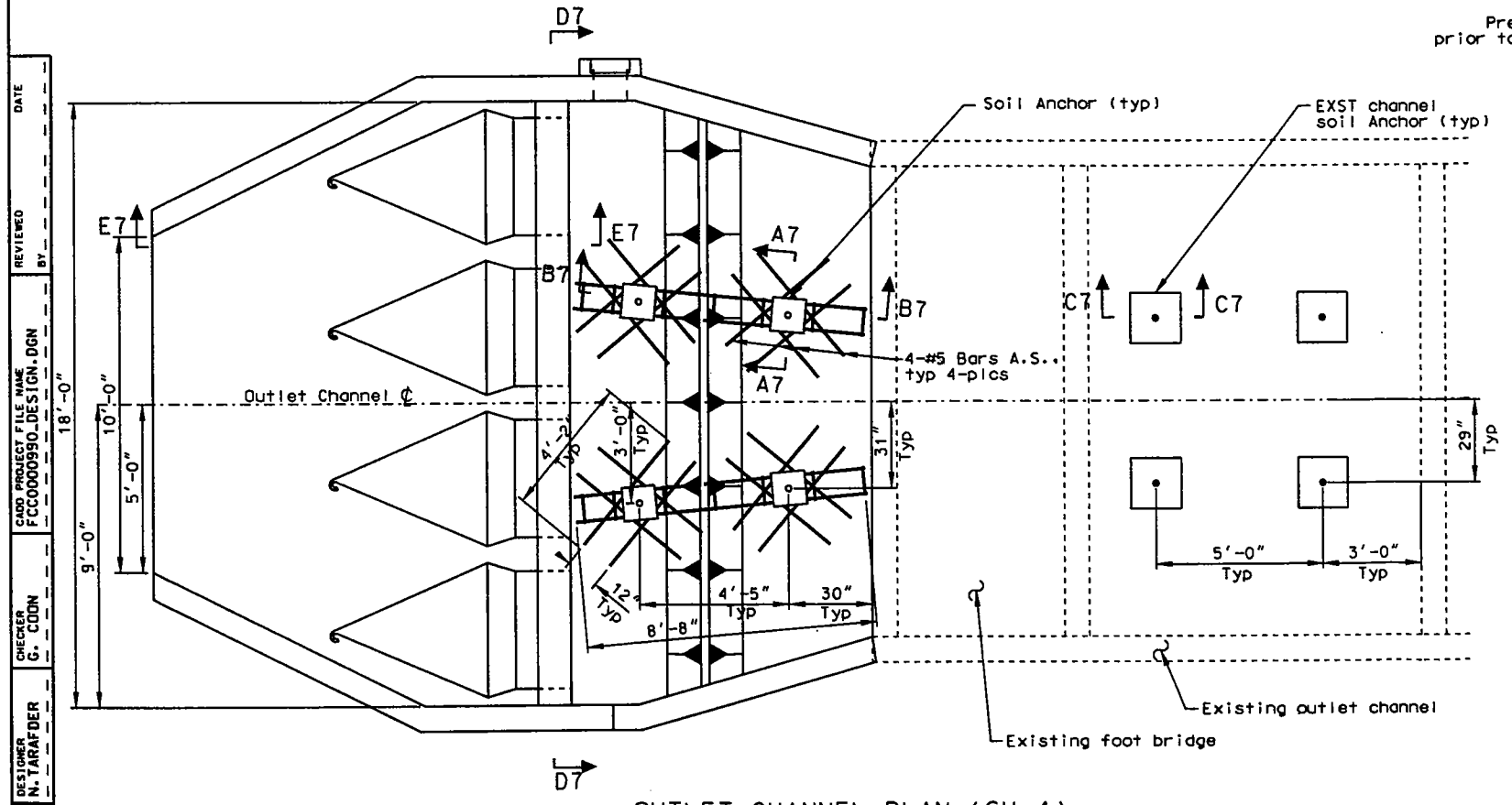
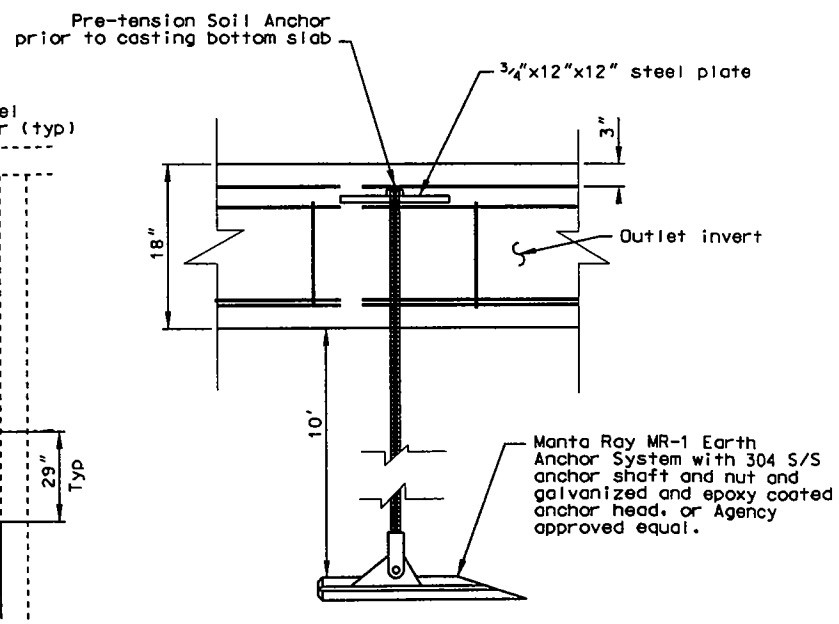


OUTLET CHANNEL PLAN (SH 4)
SOIL ANCHOR LAYOUT
NOT TO SCALE



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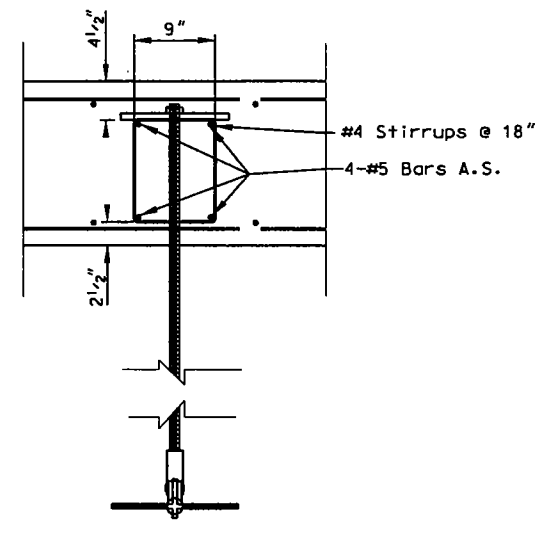

SECTION A7-A7
NOT TO SCALE

DRAFTER N.TARAFDER | DESIGNER N.TARAFDER | CHECKER G. COON | CADD PROJECT FILE NAME FCC0000990_DESIGN.DGN | REVIEWED BY | DATE

DATE	MK	DESCRIPTION
		REVISIONS

GILES COON, C 66541, exp. 6/30/2006, CIVIL, REGISTERED PROFESSIONAL ENGINEER, STATE OF CALIFORNIA
PROJECT ENGINEER DATE

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

PROJECT NO. 3872

VENICE

MARINA DEL REY LOW FLOW DIVERSION

MISCELLANEOUS STRUCTURAL DETAILS

FCC0000990 | JOBX5009538 | DWG 470-3872-D10.7 | SHEET 7 OF 10

DETERMINATION

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Hazards/Hazardous Materials	☐ Public Services
☐ Agriculture Resources	☐ Hydrology/Water Quality	☐ Recreation
☐ Air Quality	☐ Land Use and Planning	☐ Transportation/Circulation
☐ Biological Resources	☐ Mineral Resources	☐ Utilities and Service Systems
☐ Cultural Resources	☐ Noise	☐ Mandatory Findings of Significance
☐ Geology and Soils	☐ Population and Housing	

Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☑

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☐

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

Signature _____ Date _____

Printed Name _____ For _____

ENVIRONMENTAL IMPACTS

I. AESTHETICS

Setting

The Proposed Project site is currently used as a stormwater drainage channel and a drainage basin, Oxford Basin. The surrounding area is comprised primarily of commercial and residential land uses. Directly to the south of the project site is the marina.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒

The Proposed Project would construct a low flow diversion structure in an existing drainage channel. The project is consistent with the existing land use. There are no scenic vistas in the vicinity of the project site. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

The Proposed Project is located north of the Marina Del Rey marina and west to Admiralty Park. The project site is covered by dense vegetation. The project would construct a low-flow diversion structure within an existing drainage channel. The project would not affect the views of scenic resources. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

The Proposed Project would construct a low-flow diversion structure within an existing drainage channel in an area that is covered by dense vegetation. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

The Proposed Project would construct a low-flow diversion for stormwater flows. The project does not include the construction of any lighting. No impact would occur.

II. AGRICULTURAL RESOURCES

Setting

The Proposed Project is located in Marina Del Rey, an unincorporated area in Los Angeles County. The area does not have a history of agricultural land uses nor are there any current agricultural land uses

occurring in the vicinity of the project site.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

The Proposed Project would construct a low flow diversion within an existing drainage basin. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

The Proposed Project would construct a low flow diversion within an existing drainage basin. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

The Proposed Project would construct a low flow diversion within an existing drainage basin. No impact would occur.

III. AIR QUALITY

Setting

The Proposed Project site is located in Marina Del Rey, Los Angeles County, which is located in the South Coast Air Basin (Basin). The Basin is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The governing air quality management plan is the 2007 Air Quality Management Plan. The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. It includes all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino counties. The topography and climate of Southern California combine to make the Basin an area of high air pollution potential, and constrain the District's efforts to achieve clean air. During the summer months, a warm air mass frequently descends over the cool, moist marine layer produced by the interaction between the ocean's surface and the lowest layer of the atmosphere. The warm upper layer forms a cap over the cool marine layer and inhibits the pollutants in the marine layer from dispersing upward. In addition, light winds during the summer further limit ventilation. Furthermore, sunlight triggers the photochemical reactions, which produce ozone, and this region experiences more days of sunlight than any other major urban area in the nation except Phoenix (SCAQMD, 2007)[1]. The Basin is an area of serious nonattainment for Particulate Matter less than 10 microns in size (PM_{10}), Particulate Matter less than 2.5 microns in size ($PM_{2.5}$), and Ozone. The Coastal Los Angeles area has historically recorded low concentrations of several pollutants (SCAQMD, 2007).

[1] *2007 Final AQMP, SCAQMD*

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒

The Proposed Project would construct a low-flow diversion structure within an existing drainage channel. The project would not conflict with the air quality plan. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

The Proposed Project would result in emissions from construction equipment. Construction of this project would involve ground disturbance, which would produce airborne particulate matter (PM_{10} and $PM_{2.5}$). The area of impact would be less than one acre. The emissions resulting from this project would be minimal and would not exceed daily thresholds. Also, this would be temporary and would cease upon completion of construction. Construction of the project is expected to last for approximately 60 days. The project would comply with AQMD Rule 403 for Fugitive Dust control. The project would not result in any emissions once operational. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐

The Proposed Project would not result in a cumulative increase of any criteria pollutant. Construction of this project would involve ground disturbance, which would produce airborne particulate matter (PM_{10} and $PM_{2.5}$). The Basin is in non-attainment for these pollutants; however, the project would not exceed daily emissions thresholds for these pollutants. Construction of the project is expected to last for approximately 60 days. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

The Proposed Project site is surrounded by residential, commercial, and recreational land uses. These land uses are considered sensitive receptors, however, the limited number of construction vehicles (excavator, backhoe loader, concrete truck, and dump truck) and equipment that would be operating at any one time during the estimated two-month construction phase would not expose them to substantial pollutant concentrations. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	Would the project create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

The Proposed Project would result in odors commonly associated with construction equipment related to

the burning of fossil fuels. This would be temporary and would cease upon completion of construction. A less than significant impact would occur.

IV. BIOLOGICAL RESOURCES

Setting

Marina del Rey provides habitat for over 90 species of fish, including top smelt, northern anchovy, sea bass, halibut, mullet, turbot, surfperch, and *Albula vulpes,* as well as numerous species of waterfowl such as the California brown pelican and California least tern. Breeding efforts are underway to improve the Marina's biological productivity.

Although designated as a bird conservation area by the Los Angeles County Board of Supervisors, recent studies have shown that Oxford Retention Basin performs ineffectively as a regional wildlife sanctuary due to its limited size (10.7 acres), lack of connectivity to surrounding natural areas, and unsuitable chemical composition resulting from its storm water collection function. Nevertheless, small populations of birds still utilize the area.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

A limited number of special status waterfowl species, such as the California brown pelican and California tern are known to occur in the Marina. Oxford Basin however does not contain suitable habitat for said species and they are not expected to occur at the project site (CalTrans, 2006). No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐

The limits of California Department of Fish and Game (CDFG) jurisdiction, which would require 1600 permitting if impacted, are nearly identical to those of the United States Army Corp of Engineers (USACE) and Southwest Regional Water Quality Control Board (SWRWQCB) in this case. The limits of CDFG jurisdiction are shown on the Delineation Map in green (Appendix A - Figure 3). The total area of non-wetland waters of the State is 0.14 acres. The total area of temporary impacts to non-wetland waters of the State is 0.016 acres. The impacts are temporary due to the fact that the Proposed Project would replace the existing drainage structure. There will be no temporary or permanent impacts to vegetation surrounding the site. There will be permanent impacts to 0.016 acres of a non-native exotic invasive shrub called Myoporum (*Myoporum laetum*). A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐

The limits of USACE jurisdiction, which would require a Section 404 permit (Section 404 of the Clean Water Act) from the USACE if impacted, are shown on the Delineation Map in blue (Appendix A - Figure 3). The total area of non-wetland waters of the State is 0.14 acres, of which 0.077 acres are USACE jurisdiction. The total area of temporary impact to non-wetland waters of the State is 0.016 ac. There are 44 linear feet of bank.

The limits of SWRWQB jurisdiction, which would require 401 permitting if impacted, are identical to those of the USACE in this case (Appendix A - Figure 3). The total area of non-wetland waters of the State is 0.14 acres. The total area of temporary impact to non-wetland waters of the State is 0.016 acres. The impacts are temporary due to the fact that the Proposed Project would replace the existing drainage structure. There will be permanent impacts to 0.016 acres of a non-native exotic invasive shrub called Myoporum (*Myoporum laetum*). A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒

The Proposed Project would construct a low flow diversion within an existing stormwater drainage channel. The project would not allow the flow of water from the Oxford Basin upstream. The channel is not a natural waterway for fish to travel.

If construction will occur in the breeding bird season, which generally runs from March 1- August 31 (as early as February 1 for raptors), pre-construction surveys should be performed 30 days prior to construction and continue on a weekly basis in the project area and adjacent habitat within 300 feet (500 feet for birds of prey) of the construction work area. The weekly surveys will be completed no more than 3 days before the initiation of clearance work (Fish and Game Code Section 86). No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

The Proposed Project is located within the unincorporated area of Marina Del Rey in Los Angeles County. The project would not conflict with any local policies or ordinances protecting biological resources (Los Angeles County, 1996). No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The Proposed Project site is not within a Habitat Conservation Plan, Natural Community Conservation

Plan or any other conservation plan area. No impact would occur.

V. CULTURAL RESOURCES

Setting

The Ballona Creek area, in which the proposed project is located, contains some of the oldest human fossils in North America, including the Los Angeles man fossil and the Haverty skeleton. Three distinct periods of pre-historic human settlement have occurred in the area. The first, dating from roughly 8000 to 5000 years ago is marked by the presence of cogged stones and extensive mano-metate compounds. The Middle Period, dating from 5000 to 3000 years ago is distinguished by the presence of flexed burials underlying cremations in stratified deposits. The most prominent and numerous features of the late period, dating from 3000 to 150 years old, are the Canalino and Shoshonean sites.

Because of the area's water dispersion function during heavy rains, the low-lying areas were not popular for permanent residences. Instead, as the recorded site locations demonstrate, they were built up along the bluffs overlooking the marsh area.

Any resources on Marina land already altered or designated for development have been or probably have been impacted previously. The existing landmass within the marina facility has been covered with fill material from channel construction and developed with residential and commercial buildings, thereby destroying or burying any potential resources. Mass excavation activities may potentially harm undiscovered resources, but surface-grading activities should not pose a threat.

Evaluation

a)	Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

No significant historical resources are known to occur in the project area. No impact would occur.

b)	Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

No archaeological resources are expected to occur in the project area, and therefore substantial adverse impacts thereto resulting from the proposed project are not expected. Resources that may occur in the project area, in all probability, originated elsewhere upstream and were transmitted and deposited by hydrologic processes in the in Ballona Creek Watershed. Having been severed from their original context, the academic value of these resources would be severely diminished.

A cultural resources inventory study (California Department of Transportation, 2007) was conducted in support of the State Route 90 Realignment Project and the Admiralty Way Improvements Project. This included a full records search conducted at the South Central Coastal Information Center, Native American Consultation, pedestrian field survey, and the excavation of six exploratory soil core samples. The results of these investigations determined that intact portions of the Late Prehistoric archaeological site, CA-LAN-47, are present on both sides of Admiralty Way, just northwest of Bali Way. As confirmed by Strauss (2007), CA-LAN-47 is close to 1 kilometer (3,000 feet) east of the Proposed Project site; therefore, the current project will have no effect on this resource.

In the event that archaeological resources are uncovered during the construction, a qualified

archaeologist, paleontologist, and/or geologist would be contacted, depending on the importance of the find, as determined by Regional Planning and the State Historic Preservation Office, pursuant to the Marina del Rey Land Use Plan Cultural Resources policy (p.7-2). A less than significant impact would occur.

c)	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

Because the project consists of shallow surface excavation and backfilling along the streambed, impacts to paleontological resources and unique geologic features are not anticipated, as these types of resources are more often found at deeper depths within the soil profile. In the event that paleontological resources or a unique geological feature is uncovered during construction, a qualified paleontologist, and/or geologist would be contacted, depending on the importance of the find, as determined by Regional Planning and the State Historic Preservation Office, pursuant to the Marina del Rey Land Use Plan Cultural Resources policy (p.7-2). A less than significant impact would occur.

d)	Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

Located along an existing streambed, the project is not expected to disturb human remains. In the event that human remains or grave goods are encountered that, construction activities will immediately cease while a coroner and qualified archaeologist are contacted to determine the origin of the remains. If the remains are determined to be of Native American origin, the Native American Heritage Commission will be notified and the most likely descendant contacted. Subsequent to exhumation, the remains shall be re-interred at a location determined by the NAHC. Compliance with these measures and the rest of the regulations contained in the applicable sections of § 7050.5 of the Health and Safety Code, and § 5097.94, § 5097.98 and §5097.99 of the Public Resources Code will result in a less than significant impact related to the disturbance of human remains.

VI. GEOLOGY

Setting

The Proposed Project is located in Marina Del Rey within the unincorporated area of Los Angeles County. Marina Del Rey is located on the coastal plain of the Los Angeles basin, with the Santa Monica Mountains on the north and the Baldwin Hills on the south and east. The Santa Monica Mountains compose the central portion of the Transverse Ranges of Southern California, running from Point Arguello (north of Santa Barbara) into the Mojave Desert. The Transverse Ranges consist of several large areas of seismically active uplifted basement rocks. The Baldwin Hills represent a surface expression of the Newport/Inglewood Fault, formed over the past several million years. To the west of the Baldwin Hills is the Ballona Escarpment, created over time by erosional activity of Ballona Creek.

Marina Del Rey is generally located on what is known as the Southwestern Block of the Los Angeles basin (the portion of the basin south of the Santa Monica Mountains), which consists chiefly of marine clastic[2] and organic sedimentary strata of middle Miocene to Recent age, including igneous rocks of middle Miocene age. The lower sequence generally consists of marine sandstone, siltstone, and minor amounts of conglomerate, deposited in a shallow marine environment.

[2] Clastic refers to a rock or sediment composed primarily of broken fragments derived from pre-existing rocks or minerals that have been transported some distance from their place of origin.

Marina Del Rey is located in the near vicinity of two major fault systems, the Santa Monica Fault zone and the Newport Inglewood fault zone. The Santa Monica Fault zone is comprised of several major active faults, including the Malibu Coast fault, located some 7 miles northwest of the project site and capable of generating a magnitude 7.0 earthquake, as well as the Santa Monica, Hollywood, Raymond, Sierra Madre, and Cucamonga Faults. The active Hollywood Fault runs along the southern edge of the Santa Monica Mountains to the North. The active Newport-Inglewood Fault Zone, which includes the nearby Charnock and Overland faults, runs from off the coast of Newport Beach to Culver City, and is responsible for the chain of low hills extending from Signal Hill to the Baldwin Hills. Each of these fault zone systems is capable of producing large earthquakes, with a maximum credible earthquake[3] estimated as a magnitude 7.5 event on the Santa Monica–Hollywood Fault and a 7.4 event on the Newport-Inglewood Fault. Both of these would result in severe earthshaking in the project area.

Evaluation

a)	Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazards of surface faulting and fault rupture to built structures. Fault rupture generally occurs within 50 feet of an active fault line and is limited to the immediate area of the fault zone where the fault breaks along the surface. Since the project site is not located within an Alquist-Priolo Earthquake Fault Zone, a less than significant impact would occur from fault rupture.

ii)	Strong seismic ground shaking?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

The proposed project would be located in the vicinity of the Santa Monica Fault Newport Inglewood fault zone systems. Each of these fault zone systems is capable of producing large earthquakes, with a maximum credible earthquake estimated as a magnitude 7.5 event on the Santa Monica–Hollywood Fault and a 7.4 event on the Newport-Inglewood Fault. Both of these would result in strong earthshaking in the project area, though this would not constitute an additional risk significantly greater than the risk already facing the pre-existing outlet structure which the proposed project would modify.

iii)	Seismic-related ground failure, including liquefaction?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

[3] Maximum Credible Earthquake is the largest earthquake (measured in magnitude on the Richter Scale) that appears to be reasonably capable of occurring under the presently known geologic framework.

The project is located in an area designated as having high liquefaction potential because of shallow depth to groundwater in the near proximity of the marina. Consideration of this factor has been incorporated into the project design. No impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
iv) Landslides?	☐	☐	☐	☒

The topography in the project area is essentially flat making landslides there impossible. No impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Would the project result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

While the proposed project would involve the excavation of 5 cubic yards from the channel and backfill of 20 cubic yards of material, this does not constitute a significant impact related to soil erosion or substantial topsoil loss. A less than significant impact would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

While the project is located in a potential liquefaction zone, the project would neither increase overall exposure to such an event nor increase the probability of such an event occurring.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒

The Proposed Project would construct a low-flow diversion in an existing drainage channel. The project would not create a risk to life or property. No impact would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

The Proposed Project does not involve the construction or installation of septic tanks or other wastewater disposal systems. No impact would occur.

VII. HAZARDS AND HAZARDOUS MATERIALS

Setting

The Proposed Project is located in Marina Del Rey within the unincorporated area of Los Angeles County. The project site is currently occupied by a drainage channel and drainage basin (Oxford Basin). The

water that flows through this channel is stormwater runoff, which could include runoff from surface streets. Street runoff often includes chemicals leaked from automobiles. The drainage channel and basin are secured by a fence and public access is not allowed. Authorized County personnel enter the site for maintenance purposes.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

The Proposed Project, once operational, would divert water potentially contaminated with hazardous materials from urban runoff including chemicals from automobiles, however, expected runoff contaminant levels would not exceed those of existing conditions. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

The Proposed Project would not involve the handling of hazardous materials in anyway, and no reasonably foreseeable upset involving hazardous materials release could occur in connection with the project. Under existing conditions an accident involving hazardous materials occurring along city streets would flow unimpeded into Oxford Basin. The Proposed Project would divert these materials to the sewage treatment plant. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

The Proposed Project would construct a low flow water diversion within an existing drainage basin and will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The nearest school is Roosevelt High School, located one-quarter mile from the project site. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

The project would not be located on a site that is included on a list of hazardous materials sites. The project site consists of an existing stormwater drainage channel and basin. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

The project area is located in the vicinity of Los Angeles International Airport and Santa Monica Municipal Airports and is not part of either airport's land use plans. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

The project is not within the vicinity of a private airstrip. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g)	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

The project would occur in the streambed, outside of the emergency response planning and emergency evacuation areas. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h)	Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

The project is not located in an area of any appreciable urban-wildland interface. The project is located near the Ballona Wetlands, but would not expose people or structures to a greater risk of fire related damage, injury, or death in excess of existing levels. No impact would occur.

VIII. HYDROLOGY AND WATER QUALITY

Setting

Water quality in Marina del Rey is regulated by the State Water Resources Control Board (SWRCB) Los Angeles River Basin Plan, formulated to prevent water quality degradation and to protect the beneficial uses of water, and the Water Quality Control Plan for Ocean Waters of California, designed specifically for the protection of ocean waters by establishing discharge requirements and prohibitions. In addition the Southwest Regional Water Quality Control Board (SWRWQCB) is responsible for implementing the EPA mandated National Pollutant Discharge Elimination System (NPDES) program locally. Other Plans, Policies and Agencies that regulate the project area include the Santa Monica Bay Restoration Project and the Los Angeles County of Public Works, responsible for flood control, and setting sewage discharge requirements and wastewater treatment.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐

The Proposed Project would involve the excavation of 5 cubic yards from the channel and backfill of 20 cubic yards of material. The Marina del Rey Land Use Plan requires that for "any grading or dredging project within the Marina del Rey Local Coastal Program area, the County shall require a turbidity management plan. That plan shall provide for monitoring water quality impacts of any dredging, grading or other development adjacent to the water. To the extent that the project could impact the waters of the state, the plan should commit to the use of silt curtains and also provide for monitoring water quality impacts at the excavation site and the identification of turbidity levels that would trigger additional mitigation measures." (p. 13-3) Compliance with this policy would result in a less than significant impact to waste discharge requirements.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒

The project would not involve groundwater withdrawal or any activities that would affect groundwater recharge. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or offsite?	☐	☐	☒	☐

The project would occur within the existing streambed and would not substantially alter existing drainage patterns in a way that would result in substantial siltation. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or sub-stantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite?	☐	☐	☒	☐

The project is designed to divert low-level storm flows from the Oxford Pump Station and as such would not result in onsite or offsite flooding. The surrounding area is already developed and equipped with a storm drain system. High-level flows exceeding the capacity of the diversion system will remain within the existing storm drain system and Oxford Basin as they are under existing conditions. The project would not alter the detention capacity of Oxford Basin, nor would it generate higher amounts or increased rates of runoff. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	Would the project create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒

The project would be designed to collect runoff water and increase the capacity of the existing stormwater drainage system and would therefore not exceed the capacity of the existing system, nor would it provide additional sources of polluted runoff. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	Would the project otherwise substantially degrade water quality?	☐	☐	☐	☒

The Proposed Project is not expected to degrade water quality. The project would improve water quality during dry-weather conditions and reduce impacts to an impaired water body (Oxford Basin). Water would be diverted into a treatment plant as a result of this project before being discharged into the ocean. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g)	Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

The project would not place housing in a 100-year flood hazard area. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h)	Would the project place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☒	☐

The project would be located within a 100-year flood hazard area and would redirect storm water flows from the Oxford Pumping Station to the Oxford Detention Basin. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
i)	Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

The project won't expose people or structures to risk of loss, injury, or death involving flooding. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
j)	Would the project cause or expose people and structures to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Inundation by seich and tsunami are considerable hazards in the project area, given its proximity to the ocean and marina, and low elevation. Nevertheless, the project itself won't create structures that are particularly susceptible to damage caused thereby, and will not add to the level of exposure already

experienced by people living in the project area. No impact would occur.

IX. LAND USE PLANNING

Setting

The Proposed Project site is currently used as a stormwater drainage channel and a drainage basin, Oxford Basin. The project site is surrounded by residential and commercial land uses. There are single-family residences located to the north, west, and east of the project site. The Ritz-Carlton Marina Del Rey is located directly south of the project site and the Marina International Hotel, Jamaica Bay Inn, and Marina Del Rey Marriott are located to the south along Admiralty Way. The marina is also located south of the project site. Admiralty Park is located adjacent to the east of the project site.

Evaluation

a)	Would the project physically divide an established community?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project consists of constructing a low-flow diversion system and leakage drain and would not physically divide an established community. No impact would occur.

b)	Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. No impact would occur.

c)	Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

No impacts to habitat conservation plans or natural community conservation plans would occur with the Proposed Project.

X. MINERAL RESOURCES

Setting

The Proposed Project is located in Marina Del Rey within the unincorporated area of Los Angeles County. The County's local mineral resources consist of oil and deposits of rock, sand and gravel. Most of Southern California's on-shore oil deposits are located in Los Angeles County. In addition, California is the largest producer of sand and gravel in the nation. The greater Los Angeles area is the nation's leading producer for its geographic size. Sand and gravel reserves have declined in the past due to the encroachment of incompatible development. These resources must be protected and conserved. When

mineral operations are complete, the sites should be reclaimed for beneficial uses or restored to a natural condition (Los Angeles County, 1992).

Evaluation

a)	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The project would be limited to digging and excavation along the surface, and therefore would not deplete mineral resources. No impact would occur.

b)	Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan other land use plan?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The project site has not been identified in a general plan, specific plan, or any other land use plans as a locally important mineral resource recovery site. No impact would occur.

XI. NOISE

Setting

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air. Noise as a pollutant can be defined as unwanted sound. The decibel (dB) scale is used to quantify sound intensity. Because the human ear is not equally sensitive to all frequencies within the spectrum, noise measurements are weighted more heavily within those frequencies of maximum human sensitivity in a process called "A-weighting" written as dBA.

Noise can be generated from either point sources (stationary equipment) or from a line source, such as a roadway with moving vehicles, or aircraft flying overhead. Noise decreases approximately 6dBA for every 100 feet.

Noise levels in Marina del Rey are regulated by the County of Los Angeles' Noise Ordinance. For construction activities exceeding a 20-day duration, noise levels are not to exceed 65dBA during the hours of 7a.m. and 8 p.m. at single-family residences, Monday through Saturday, and 55dBA during the nighttime hours of 8 p.m. to 7 a.m. For multiple family residences these numbers are 5dBA higher for the corresponding time periods.

Existing noise sources in the project area include vehicular traffic along Oxford Avenue, Admiralty Way, and Washington St., recreational boating activities in the Marina, as well as various construction projects occurring in the vicinity of the project.

Evaluation

a)	Would the project expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

The Proposed Project would involve the use of heavy construction equipment that could generate noise

levels in excess of standards established by the County of Los Angeles General Plan. For various land uses, the County has established interior and exterior noise standards. For construction activities exceeding a 20-day duration, noise levels are not to exceed 65dBA during the hours of 7a.m. and 8 p.m. at single-family residences, Monday through Saturday, and 55dBA during the nighttime hours of 8 p.m. to 7 a.m. For multiple family residences these numbers are 5dBA greater for the same respective time periods. Table 1 lists typical noise levels than can be expected to result from the project site at various distances, in the absence of additional sources of attenuation.

Table 1 - Estimated Peak Construction Noise Emissions at Selected Distances (in dBAs)

Construction Activity	Loudest Equipment	50 ft	100 ft	200 ft	400 ft
Trenching/earthwork	Bulldozer/backhoe	80	74	68	62
Positioning Pipe	Sideboom/tractor	85	79	73	67
Backfilling	Bulldozer/backhoe	85	79	73	67
NOTE: Assumes a basic sound level drop-off rate of 6.0 dB per doubling of distance Source: Federal Highway Administration					

The project site is offset some 50 feet from adjacent residential land uses. As shown Table 1, without additional sources of attenuation, these adjacent properties may experience noise levels 20 dbA in excess of the County's Noise Ordinance standards. Additional factors that may serve to attenuate construction noise to levels in compliance with the Noise Ordinance include: thick vegetation and soft loose dirt surfaces surrounding the project site, walls and property fences along neighboring residences as well as the topography of the project site, which sits below grade from the adjacent properties, further serving to break the source-receptor line of site and lower sound levels. At ½" thick wood fence can be expected to reduce noise levels by 12dBA. Additional attenuation provided by the buffer of trees and thick vegetation between the project work area and the surrounding residences is expected to provide the additional attenuation necessary to bring project-generated noise to compliance levels. Additional noise reduction can obtained by equipping construction vehicles with mufflers. A less than significant impact would occur.

b)	Would the project expose people to or generate excessive groundborne vibration or groundborne noise levels?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

The area surrounding the project site is composed of residential land uses, hotels, and local businesses. Excessive groundborne vibration is typically caused by activities such as blasting used in mining operations, or the use of pile drivers during construction. None of those activities would occur during project construction. More common vibration sources are related to heavy equipment activities during excavation, grading, materials transport, and structural building activities. Project construction would temporarily increase those common groundborne vibration and noise levels. Despite the noise and vibration levels associated with such construction, however, it would occur at times of the day and for short enough durations that it would not be a nuisance to noise sensitive uses. Further, given their distance from the project construction limits, occupied structures would not be exposed to groundborne vibration or groundborne noise levels. A less than significant impact would occur.

c)	Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☒	No Impact ☐

The Proposed Project would consist of a low flow diversion structure within an existing drainage channel. Once operational, the project would involve the regular use of pumps that would generate noise not substantially greater than existing noise levels or in excess of standards established by the Los Angeles County Noise Ordinance (Los Angeles County, 1992). A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Would the project cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

The Proposed Project would result in a temporary increase in the ambient noise levels during construction that would cease upon completion, and would be attenuated to less than significant impact levels by factors related to site topography and land cover. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The Proposed Project is located within the vicinity of Los Angeles International Airport (LAX) and Santa Monica Municipal Airport but is not a part of either airport's land use plan. LAX is located approximately 3 miles to the south and Santa Monica Municipal Airport is located approximately 2 miles to the north. People working at the project site would not be exposed to excessive noise levels. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The Proposed Project is not within the vicinity of a private airstrip. No impact would occur.

XII. POPULATION AND HOUSING

Setting

The Proposed Project consists of the construction of a low-flow diversion system and leakage drain in an existing drainage system. Residential and commercial developments are located in the areas surrounding the project site.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒

The Proposed Project would not induce substantial population growth in an area, either directly or indirectly. As a result, no impact would occur.

b)	Would the project displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere. No impacts would occur.

c)	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. No impacts would occur.

XIII. PUBLIC SERVICES

Setting

The Proposed Project lies within the boundaries of existing public services. Below is a listing of service and provider:

Health Services:
Public health services are provided to the Marina del Rey area by the L.A. County Department of Health Services (West District, 2509 Pico Boulevard, Santa Monica). Two sub-centers (4150 Overland Boulevard, Culver City and 905 Venice Boulevard, Venice) provide general health services and clinics.

Police Department:
Law enforcement in the Marina del Rey area is provided by the L.A. County Sheriff's station at 13851 Fiji Way.

Fire Department:
Marina del Rey has its own County-supported fire department located at the end of the Main Channel. It is anticipated that intensified Marina development may necessitate expansion of the existing fire department services. This expansion could involve a cooperative agreement with the City of Los Angeles Fire Department to handle a certain portion of the service area.

Schools:
The Marina del Rey area belongs to the Los Angeles Unified School District.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any or the public services: Fire protection? Police protection? Schools? Parks? Other public facilities?	☐	☐	☐	☒

The Proposed Project consists of the construction of a low-flow diversion system and leakage drain and would not result in an increased need for fire and police protection services. There would be no impacts to schools, parks and other public facilities. Therefore, no impacts are anticipated as a result of implementation of the Proposed Project.

XIV. RECREATION

Setting

The Proposed Project would be located in Marina del Rey, California, served by the Los Angeles County Parks and Recreation Department. There is an existing bicycle path located to the north of the project site that travels from east to west along the south side of Oxford Avenue.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒

The Proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. As a result, no changes in the demand for local parks and recreation facilities are anticipated. No impacts would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse effect on the environment?	☐	☐	☐	☒

The Proposed Project would not require the construction or expansion of recreational facilities. No impact would occur.

XV. TRANSPORTATION/TRAFFIC

Setting

The Marina's internal circulation system consists of two main components. First, two secondary highways - Admiralty Way on the east and north, and Via Marina on the west - serve as the main collector roads within the Marina. Second, a number of local streets provide access to the waterfront along mole roads, including Fiji Way, Mindanao Way, and Bali Way on the east side, and Tahiti Way, Marquesas Way, Panay Way, and Palawan Way on the west side.

Outside the Marina, two state highways serve the LCP study area. They are the Marina Freeway/Expressway (Route 90) and Lincoln Boulevard (Route 1). The Route 90 Freeway and its extension to Lincoln Boulevard serve as the main access to the Marina from the east. Connections between Route 90 and the San Diego Freeway provide access to the Westside and Southbay. Mindanao Way is the only Marina Street that connects directly with the Route 90 extension, but some Route 90 traffic uses Lincoln Boulevard to Bali Way as an alternate route to the Marina.

As originally planned, the Marina Freeway was to extend to Lincoln Boulevard and provide for an extension to Washington Boulevard along the former Pacific Electric right-of-way. This connection, known as the Marina Bypass, would provide a through highway corridor directly from the San Diego Freeway into Venice. Since this extension has not been built, an undesirable at-grade intersection exists at Culver Boulevard. An expressway currently extends along the segment from the present terminus of the freeway to Lincoln Boulevard.

Lincoln Boulevard serves north and southbound traffic along the eastern boundary of the Marina and provides access to the Marina via three connecting local streets (Fiji Way, Mindanao Way and Bali Way). Culver Boulevard and Jefferson Boulevard serve as the major east-west corridors linking the LCP study area to communities east of Lincoln, and south to Westchester.

Access to and from Venice is provided via Palawan Way and Via Marina connections to Washington Blvd. Outlets to the Venice Silver Strand community are provided at Marquesas, Tahiti, Bora Bora Way, and the south exit of Via Marina.

Evaluation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒

The Proposed Project site is currently used as a stormwater drainage channel, Oxford Basin, and as such, the Proposed Project would not cause an increase in traffic.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒

The Proposed Project would not exceed, either or cumulatively, a level of service standard established by

the county congestion management agency for designated roads or highways, and as such, would have no impact.

c)	Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks and as such, would have no impact.

d)	Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not substantially increase hazards due to a design feature or incompatible uses and as such, would have no impact.

e)	Would the project result in inadequate emergency access?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not impact emergency access. No impact would occur.

f)	Would the project result in inadequate parking capacity?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not result in inadequate parking capacity. No impact would occur.

g)	Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not conflict with adopted policies, plans, or programs supporting alternative transportation. No impact would occur.

XVI. UTILITIES AND SERVICE SYSTEMS

Setting

The Los Angeles County Department of Public Works (DPW) operates and maintains the Marina del Rey water system for the Department of Beaches and Harbors. The Marina purchases its water from the Los Angeles County Waterworks District No. 29, which is the purveyor for the Metropolitan Water District of Southern California. The amount of water available for purchase is established by an entitlement agreement, negotiated between the Department of Beaches and Harbors and the district. Maintenance of the sanitary sewers within the Marina is handled by the DPW, Waterworks and Sewer Maintenance

Division.

Evaluation

a)	Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not generate wastewater. No impact would occur.

b)	Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not require the construction of new water or wastewater treatment facilities or the expansion of existing facilities. No impact would occur.

c)	Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. No impact would occur

d)	Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporation ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would have sufficient water supplies available to serve the project. No impact would occur.

e)	Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. No impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	Would the project be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?	☐	☐	☐	☒

The Proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs. No impacts would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g)	Would the project comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

The Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste. No impact would occur.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

The Proposed Project would result in the construction of a low flow diversion structure within an existing stormwater drainage channel. The low flow diversion would eliminate seawater from rising upstream due to storm surge. The project would not result in a loss of habitat or cause a species population to decrease. The project would result in an impact to 0.03 acres of non-wetland waters. A less than significant impact would occur.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒

The Proposed Project would not result in impacts that would be considered cumulatively considerable. The impacts associated with the Proposed Project are temporary in nature and would cease upon completion of construction. There are no known projects at this time in the vicinity of the Proposed Project that would contribute to cumulative impacts. No impact would occur.

c)	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Potentially Significant Impact ☐	Less than Significant with Mitigation Incorporated ☐	Less than Significant Impact ☐	No Impact ☒

The Proposed Project would not result in any adverse environmental effects on human beings. The project would construct a low flow diversion structure within an existing stormwater channel. The project would improve water quality during dry-weather conditions and reduce impacts to an impaired water body (Oxford Basin). Water would be diverted into a treatment plant as a result of this project before being discharged into the basin. No impact would occur.

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APPENDIX A

Jurisdictional Delineation

WETLAND DELINEATION
AND
JURISDICTIONAL DETERMINATIONS
FOR
MARINA DEL REY LOW FLOW DIVERSION

Prepared for:

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DEPARTMENT OF PUBLIC WORKS
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SECTION 1.0 – INTRODUCTION

1.1 PROJECT DESCRIPTION

Construction of the project will temporarily impact approximately 0.12 acres of land. The proposed construction will require excavation of approximately 5 cubic yard of material, and approximately 20 cubic yard of backfill material.

The project consists of constructing a low-flow diversion system and a leakage drain to Oxford Pump Station. The low-flow diversion system consists of modifications to the Project 3872 Outlet Structure, an 18" diversion line, pump well, valve vault, flow meter, sampling vault, telemetry system, and approximately 700 feet of 4-inch discharge line connected to the City of Los Angeles Sanitary Sewer. The leakage drain to Oxford Pump Station consists of a slide gate and approximately 22 feet of 12-inch High Density Polyethylene pipe.

Modifications to Project 3872 Outlet Structure consist of removing approximately 18 ft long by 14 ft wide reinforced concrete channel and constructing approximately 22 ft long by 18 ft wide reinforced concrete channel with a headwall. Four 42-inch diameter Tideflex check valves will be installed in the headwall to pass storm flows into Oxford Basin and prevent salt water from Oxford Basin flowing back into the diversion system.

Steel sheet piles will be installed across the channel. Approximate 18-inch deep by 18-inch wide excavation will be required along the existing bicycle path to connect the discharge line to the Los Angeles City Sanitary Sewer. Excavation will also be required at the existing concrete channel. Construction equipment will include an excavator, backhoe loader, concrete truck, and dump truck. The location of temporary impacts, as they intersect with the entire area delineated, is shown on the Delineation Map (Fig 3).

1.2 PROJECT LOCATION

The project is located in unincorporated area of Marina Del Rey area in Los Angeles County (Fig. 1). The project location can be found at approximately 33°59'10.50" North and 118°27'16.74" West in Section 21 of Township 2 South/Range 15 West of the Venice Quadrangle USGS 7.5 Minute Map (Fig. 2).

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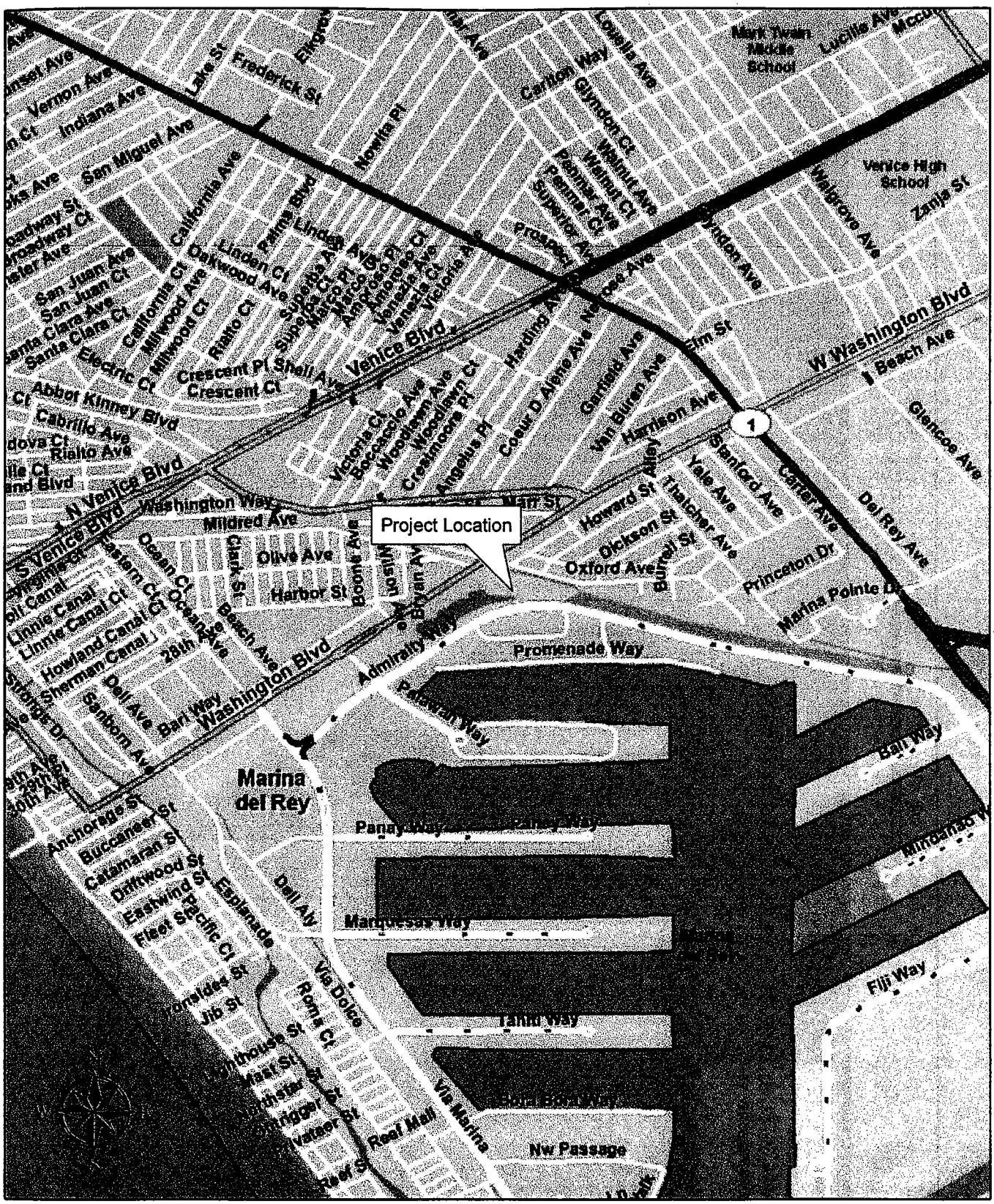
Figure 1 - Project Vicinity Map
Marina Del Rey Low-Flow Diversion Project
County of Los Angeles Public Works Department



Chambers Group, Inc.

Figure 2 - Project Location Map
Marina Del Rey Low-Flow Diversion Project
County of Los Angeles Public Works Department

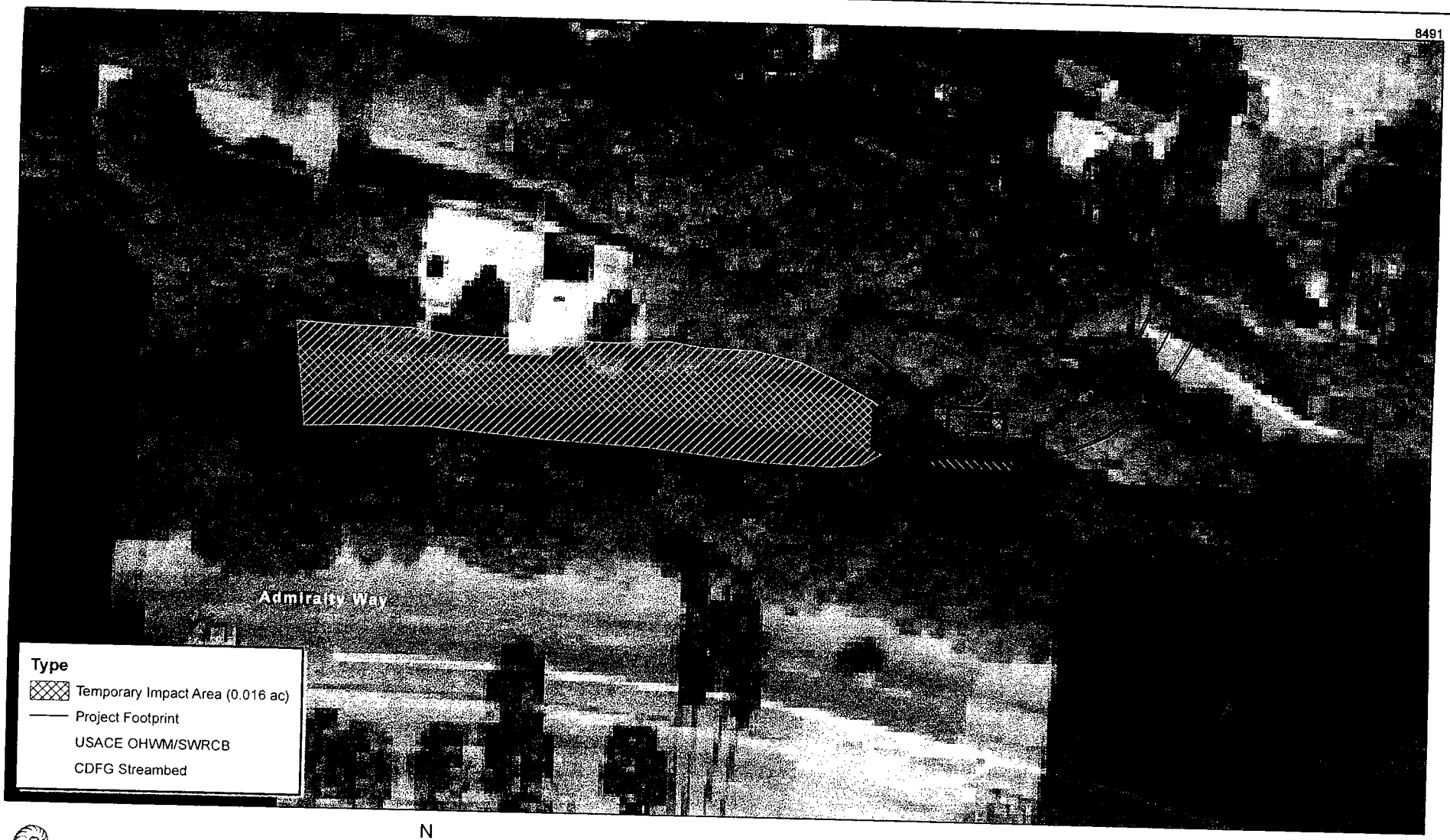


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Figure 3
Jurisdictional Delineation Map
LADPW - Marina Del Rey Low Flow Diversion

SECTION 2.0 – JURISDICTIONAL CRITERIA

2.1 U.S. ARMY CORPS OF ENGINEERS

Pursuant to Section 404 of the Clean Water Act, the USACE regulates the discharge of dredged and/or fill material into waters of the United States. Waters of the United States include navigable waterways and wetlands adjacent to navigable waterways, non-navigable waterways and wetlands adjacent to non-navigable waters that are contiguous with navigable waterways. The term "waters of the United States" is defined at 33 CFR Part 328 and currently includes (1) all navigable waters (including all waters subject to the ebb and flow of the tide), (2) all interstate waters and wetlands, (3) all impoundments of waters mentioned above, (4) all tributaries to waters mentioned above, (5) the territorial seas, and (6) all wetlands adjacent to waters mentioned above.

Wetlands are defined at 33 CFR 328.3(b) as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...a prevalence of vegetation typically adapted for life in saturated soil conditions." In 1987 the USACE published a manual to guide its field personnel in determining jurisdictional wetland boundaries. Currently, the 1987 Wetland Manual; as amended by the Arid West Supplement of 2006; provides the legally accepted methodology for identification and delineation of USACE-jurisdictional wetlands.

2.2 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

The State regulates discharge of dredged and/or fill material into waters of the State pursuant to Section 401 of the Clean Water Act. The local Regional Water Quality Control Boards (RWCB) assert jurisdiction to all those areas defined as jurisdictional under Section 404 of the Clean Water Act, plus isolated waters. As a State agency, the State Water Resources Control Board (SWRCB) regulates all waters of the State, including isolated wetlands as defined Under the California Porter-Cologne Water Quality Control Act (Porter Cologne; Ca. Water Code, Div. 7, §13000 et seq.).

2.3 CALIFORNIA DEPARTMENT OF FISH AND GAME

Pursuant to Division 2, Chapter 6, Sections 1600-1602 of the California Fish and Game Code, the CDFG regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife.

CDFG defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." CDFG's definition of "lake" includes "natural lakes or man-made reservoirs."

SECTION 3.0 – FINDINGS

3.1 WETLANDS

No wetlands were found within the study area. Other non-wetland waters and streambed were found.

3.2 USACE JURISDICTION

The limits of USACE jurisdiction and the area that would require section 404 permitting are shown on the Delineation Map in blue (Fig 3). As proposed, the project would impact **0.016 ac** of non-wetland other waters of the U.S., and **44 linear feet** of bank. The majority of these temporary impacts would occur atop areas that have already been permanently impacted.

3.3 RWQCB JURISDICTION

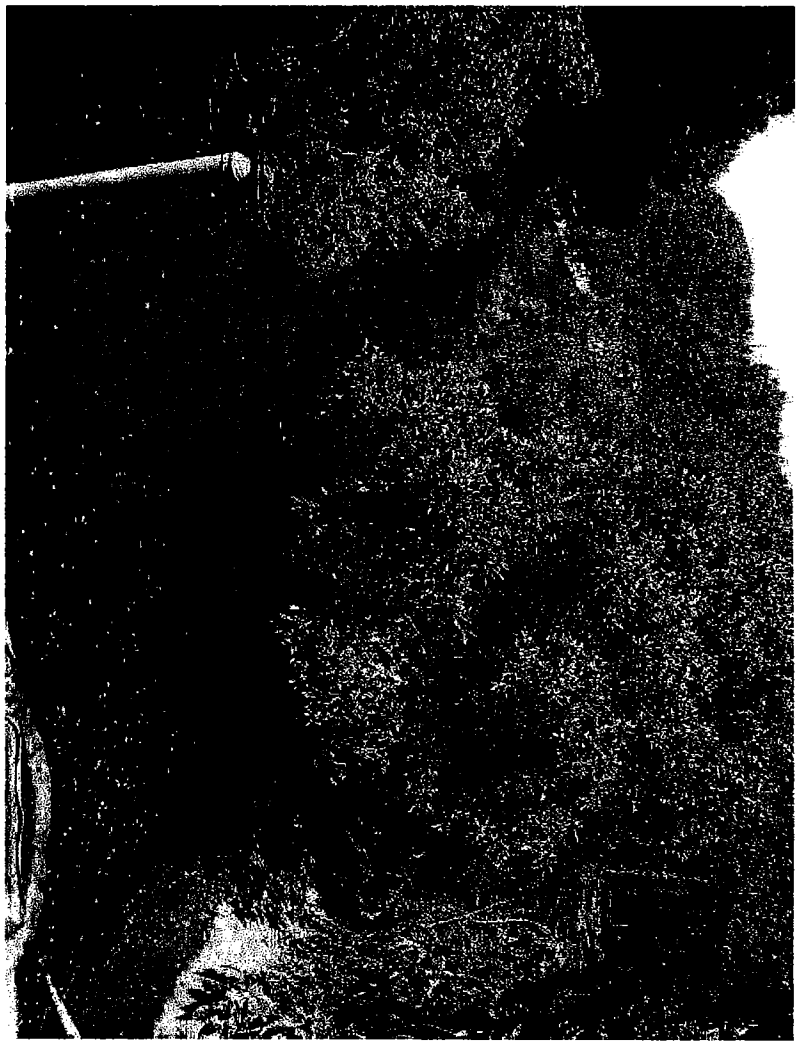
The limits of RWQCB jurisdiction, which would require section 401 permitting as proposed, are identical to those of the USACE in this case, and are also shown in blue on the delineation map (Fig 3). As proposed the project would temporarily impact **0.016** ac of non-wetland waters of the State.

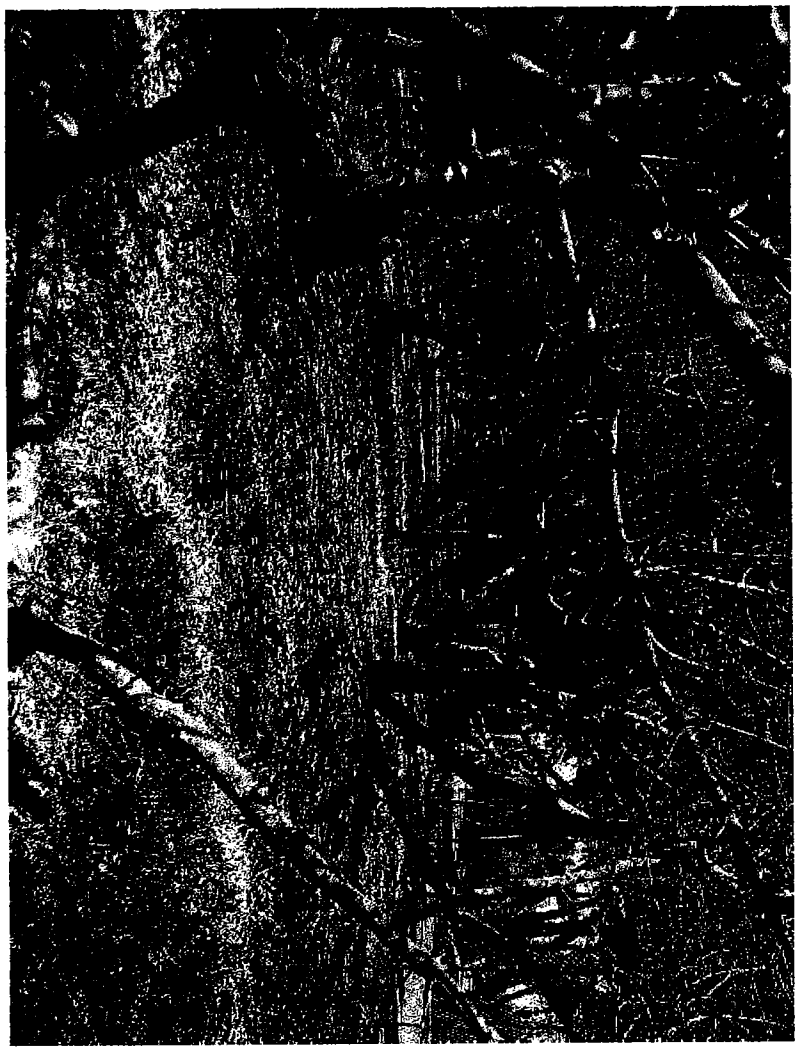
3.4 CDFG JURISDICTION

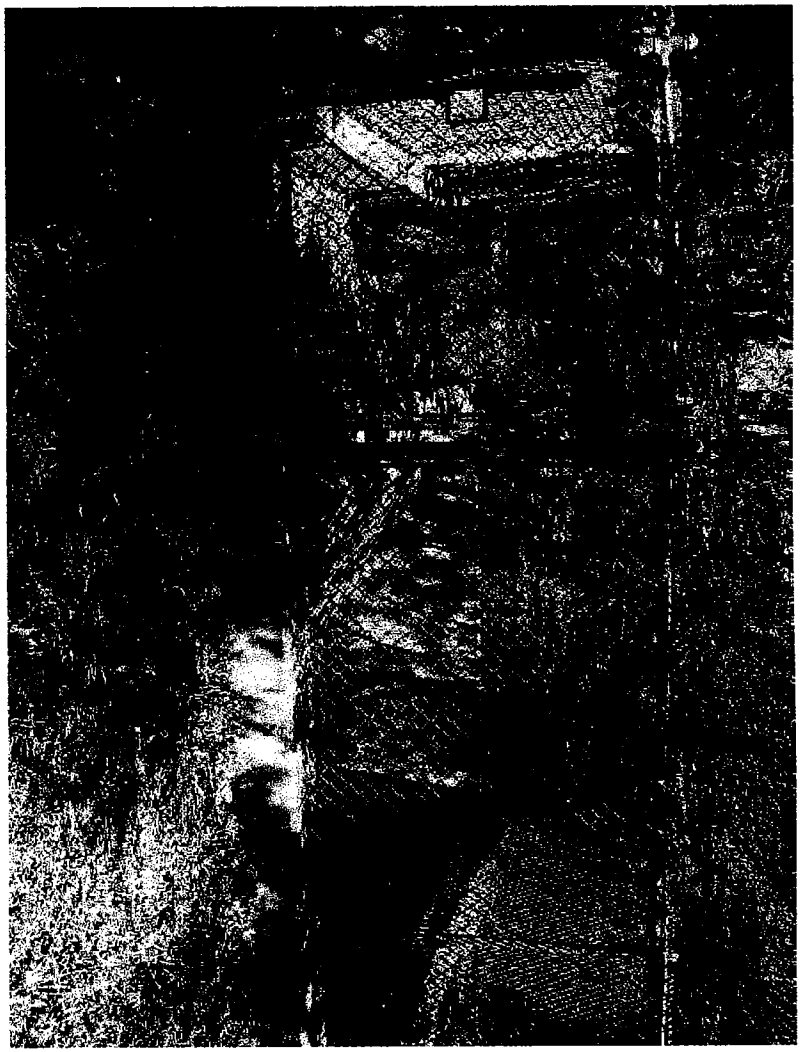
The limits of CDFG jurisdiction, which would require section 1600 permitting as proposed, are identical to those of the USACE and SWRCB in this case. The limits of CDFG jurisdiction are normally larger because CDFG jurisdiction extends laterally to the tops of banks. The CDFG limits are shown on the Delineation Map in tan (Fig 3). As proposed the project would temporarily impact **0.016** ac of CDFG jurisdictional streambed.

Table 3-1
Jurisdictional Impacts Matrix

Authority	Wetland Permanent	Riparian Permanent	Streambed Permanent	Other Waters Permanent	Total Permanent
USACE					
RWQCB					
CDFG					
Authority	**Wetland Temporary**	**Riparian Temporary**	**Streambed Temporary**	**Other Waters Temporary**	**Total Temporary**
USACE				0.016 ac	0.016 ac
RWQCB				0.016 ac	0.016 ac
CDFG			0.016 ac		0.016 ac







WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Marina Del Rey City/County: LA Sampling Date: 9 April 07
Applicant/Owner: County of Los Angeles State: CA Sampling Point: 1
Investigator(s): Dawna B. Cosier Section, Township, Range: S21 T2S R15W (Venice 7.5')
Landform (hillslope, terrace, etc.): Detention Basin Local relief (concave, convex, none): Cave Slope (%): 0-5
Subregion (LRR): Lat: 33° 59' 10.5" Long: 118° 27' 16.74" Datum: NAD 83
Soil Map Unit Name: Incomplete on Survey CA 1696 NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____ No X	Is the Sampled Area within a Wetland? Yes ____ No X
Hydric Soil Present?	Yes ____ No X	
Wetland Hydrology Present?	Yes X No ____	
Remarks:		

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status
1. Myoporum laetum	50%	X	none
2.			
3.			
4.			
Total Cover:	50%		
Sapling/Shrub Stratum			
1.			
2. None			
3.			
4.			
5.			
Total Cover:			
Herb Stratum			
1.			
2.			
3. Bare			
4.			
5.			
6.			
7.			
8.			
Total Cover:			
Woody Vine Stratum			
1. None			
2.			
Total Cover:			

% Bare Ground in Herb Stratum 100 % Cover of Biotic Crust 0

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: Myoporum leaf litter may be excluding native veg. Banks are curiously bare & unvegetated; possibly toxic stormwater?

Sampling Point: 1

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-16	7.5YR 5/1	All	None				SCL	Little development

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix. [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks: Manmade detention basin, probably fill mat. Urban forest may affect development

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ___ Surface Water (A1)
- X High Water Table (A2)
- ___ Saturation (A3)
- X Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Plowed Soils (C6)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- X Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Thin Muck Surface (C7)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes X No _____ Depth (inches): 14

Saturation Present? (includes capillary fringe) Yes X No _____ Depth (inches): 5

Wetland Hydrology Present? Yes + No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Not aware of data

Remarks:

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Marina Del Rey City/County: LA Sampling Date: 9 April 07

Applicant/Owner: County of Los Angeles State: CA Sampling Point: 2

Investigator(s): Damon B. Cooley Section, Township, Range: 32 T2S 15W Venice 7.5

Landform (hillslope, terrace, etc.): Bank of Detention Local relief (concave, convex, none): cave Slope (%): 0-5

Subregion (LRR): Lat: 33° 59 10.5" Long: 118° 27' 16.74' Datum: NAD83

Soil Map Unit Name: Not mapped NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No X	Is the Sampled Area within a Wetland? Yes _____ No X
Hydric Soil Present?	Yes _____ No X	
Wetland Hydrology Present?	Yes + No _____	

Remarks:

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3. Myoporum nearby			
4.			
Total Cover:			
Sapling/Shrub Stratum			
1.			
2.			
3.			
4.			
5.			
Total Cover:			
Herb Stratum			
1. Bromus nearby			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Total Cover:			
Woody Vine Stratum			
1.			
2.			
Total Cover:			

% Bare Ground in Herb Stratum _____ % Cover of Biotic Crust _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 0 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 % (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = 0
FACW species _____	x 2 = 0
FAC species _____	x 3 = 0
FACU species _____	x 4 = 0
UPL species _____	x 5 = 0
Column Totals: _____ (A)	0 (B)

Prevalence Index = B/A = 0

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes _____ No X

Remarks:

Abrupt change from upland veg above bank to unvegetated banks.

SOIL

Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-10	7.5YR 5/1		None				SL	
10-16	7.5YR 5/1						SCL	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix. [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type: ___

Depth (inches): ___ None

Hydric Soil Present? Yes ___ No X

Remarks: Non native soil prob fill.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ___ Surface Water (A1)
- X High Water Table (A2)
- ___ Saturation (A3)
- + Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Plowed Soils (C6)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Thin Muck Surface (C7)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes + No ___ Depth (inches): 13

Saturation Present? (includes capillary fringe) Yes + No ___ Depth (inches): 10

Wetland Hydrology Present? Yes + No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Clear water marks / OHWM

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Marina Del Rey City/County: LA Sampling Date: 9 April 07
Applicant/Owner: County of Los Angeles State: CA Sampling Point: 3
Investigator(s): Damon Section, Township, Range:
Landform (hillslope, terrace, etc.): basin bank Local relief (concave, convex, none): concave Slope (%): Flat
Subregion (LRR): Lat: Long: Datum:
Soil Map Unit Name: Not mapped NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	Is the Sampled Area within a Wetland? Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes +	No ____	

Remarks:

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
Total Cover:			
Sapling/Shrub Stratum			
1.			
2.			
3.			
4.			
5.			
Total Cover:			
Herb Stratum			
1. Brassica sp.	25	Yes	Weed
2. Erodium sp	25	Yes	Weed
3.			
4.			
5.			
6.			
7.			
8.			
Total Cover: 50%			
Woody Vine Stratum			
1.			
2.			
Total Cover: 50%			

% Bare Ground in Herb Stratum 10 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species	x 1 =	
FACW species	x 2 =	
FAC species	x 3 =	
FACU species	x 4 =	
UPL species	x 5 =	
Column Totals: (A)		(B)

Prevalence Index = B/A = 0

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: Bare ground % is low because of litter.

SOIL

Sampling Point: 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-16	7.5YR5/1						Sandy Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix. [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (LRR C)
- ___ 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type: _____ None

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks: Some gravel on Surface

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- F Water Marks (B1) (Nonriverine)
- ___ Sediment Deposits (B2) (Nonriverine)
- ___ Drift Deposits (B3) (Nonriverine)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Plowed Soils (C6)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (Riverine)
- ___ Sediment Deposits (B2) (Riverine)
- ___ Drift Deposits (B3) (Riverine)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Thin Muck Surface (C7)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ____ No X Depth (inches): _____

Water Table Present? Yes ____ No X Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes F No ____ Depth (inches): 12'

Wetland Hydrology Present? Yes + No ~~X~~

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: None

Remarks: Water marks weak

APPENDIX B

Response to Comments

CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (b) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of negative declarations should be, "on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should: (1) Identify the specific effect; (2) explain why they believe the effect would occur, and; (3) Explain why they believe the effect would be significant."

CEQA Guidelines Section 15204 (c) further advises, "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Section 15204 (d) also states, "Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204 (e) states, "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

In accordance with Public Resources Code 21092.5 (b) of the CEQA Guidelines, the lead agency shall notify any public agency which comments on a negative declaration, of the public hearing or hearings, if any, on the project for which the mitigated negative declaration was prepared. If notice to the commenting public agency is provided pursuant to Section 21092, the notice shall satisfy the requirement of this subdivision.

Comments and Response to Comments Received on the Draft IS/ND

This section provides responses to written comments received during the 30-day public review period.

All comments on the Draft IS/ND, and their responses, are presented and organized as follows:

- A table summarizing the written comments received on the Draft IS/ND;
- Complete copies of written comments received; and
- Responses to comments received.

CEQA §21091(f) and State CEQA Guidelines §15074 state that the Lead Agency (LADPW) must consider the ND together with any comments received before approving the project. Formal responses to comments are not required for an IS/ND. However, adequate information should be in the record explaining why the comment does not affect the conclusion that there are no potential significant effects. This document serves this purpose and is considered part of the record for the Proposed Project.

Comments Received on the Draft IS/ND

This section provides a summary of written comments received during the public review period on the Draft IS/ND, as well as a complete copy of the written comments received. Table 1 indicates the number assigned to each comment letter received on the Draft IS/ND, commentor name, date of correspondence, comment number assigned to each comment, and the topic for each written comment. The letters are numbered sequentially by commentor. The letter number is then used as the prefix for individual comments, which are also numbered sequentially after the prefix. Each letter has been scanned and the numbered comments have been indicated on each letter.

Table 1
Written Comments Received on the Draft IS/ND

Letter	Commentor/Agency	Date	Comment Number	Comment Topics
1	Dave Singleton, Program Analyst/ Native American Heritage Commission	August 10, 2007	1-1 1-2 1-3 1-4 1-5	Native American Cultural Resources

Response to Comments

This section includes a written response to all comments received on the Draft IS/ND. The responses are provided in the order in which they are presented in Table 1. For referral purposes, this section also provides a complete copy of the written comments received on the Draft IS/ND. Each comment letter is produced in its entirety, including attachments. All letters are available for review at the LADPW office, 900 S. Freemont Avenue, 11th Floor, Alhambra, CA 91803. Comment letters and specific comments are given letters and numbers for reference purposes.

LETTER 1 – Dave Singleton, Program Analyst/Native American Heritage Commission – 4 pages

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

August 10, 2007

Ms. Reyna Soriano
County of Los Angeles Department of Public Works
900 S. Fremont Avenue, 11th Floor
Alhambra, CA 91803

Re: SCH#2007071104; CEQA Notice of Completion; Negative Declaration for Marina Del Rev Low Flow Diversion Project #3872 Project; Los Angeles County, California

Dear Ms. Soriano:

The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency (e.g. the City of San Diego) is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect.

You may be aware that the project area (area of potential effect or APE) is in an area of significant Native American cultural resources. The Commission urges very careful plans and project executive for this project.

To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

1-1

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

1-2

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section: .
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).

1-3

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

1-4

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

1-5

- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Native American Contacts
Los Angeles County
August 10, 2007

Beverly Salazar Folkes
1931 Shadybrook Drive — Chumash
Thousand Oaks , CA 91362 — Tataviam
805 492-7255 — Fernandeño

TTAt Society
Cindi Alvitre
6602 Zelzah Avenue — Gabrielino
Reseda , CA 91335
calvitre@yahoo.com
(714) 504-2468 Cell

Fernandeno Tataviam Band of Mission Indians
Randy Guzman-Folkes, Dir. Cultural and Environmental Department
601 South Brand Boulevard, Suite 102 — Fernandeno
San Fernando , CA 91340 — Tataviam
ced@tataviam.org
(818) 837-0794 Office
(805) 501-5279 Cell
(818) 837-0796 Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Adminstrator
4712 Admiralty Way, Suite 172 — Gabrielino Tongva
Marina Del Rey , CA 90292
310-570-6567

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th Street, Rm. 403
Los Angeles , CA 90020
(213) 351-5324
(213) 386-3995 FAX

Diane Napoleone and Associates
Diane Napoleone
6997 Vista del Rincon — Chumash
La Conchita , CA 93001
dnaassociates@sbcglobal.net
805-643-7492

Owl Clan
Qun-tan Shup
48825 Sapaque Road — Chumash
Bradley , CA 93426
(805) 472-9536
(805) 835-2382 - CELL

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693 — Gabrielino Tongva
San Gabriel , CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007071104; CEQA Notice of Completion; Negative Declaration for Marina Del Rey Low Flow Diversion Project #3873; Los Angeles County, California.

Native American Contacts
Los Angeles County
August 10, 2007

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribe.net
(213) 489-5001 - Officer
(909) 262-9351 - cell
(213) 489-5002 Fax

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave, Suite 151 PMB Gabrielino Tongva
Culver City , CA 90230
gtongva@verizon.net
562-761-6417 - voice
562-920-9449 - fax

Carol A. Pulido
165 Mountainview Street Chumash
Oak View , CA 93022
805-649-2743 (Home)

Melissa M. Para-Hernandez
119 North Balsam Street Chumash
Oxnard , CA 93030
805-988-9171

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2007071104; CEQA Notice of Completion; Negative Declaration for Marina Del Rey Low Flow Diversion Project #3872; Los Angeles County, California.

Response to Letter 1

The Archaeological Survey Report for the SR 90 Connector Road and the Admiralty Way Widening Project identified the presence of CA-LAN-47 (Admiralty Site) within the vicinity of the Proposed Project. A cultural resources inventory study (California Department of Transportation, 2007) was conducted in support of the State Route 90 Realignment Project and the Admiralty Way Improvements Project. This included a full records search conducted at the South Central Coastal Information Center, Native American Consultation, pedestrian field survey, and the excavation of six exploratory soil core samples. The results of these investigations determined that intact portions of the Late Prehistoric archaeological site, CA-LAN-47, are present on both sides of Admiralty Way, just northwest of Bali Way. As confirmed by Strauss (2007), CA-LAN-47 is close to 1 kilometer (3,000 feet) east of the Proposed Project site; therefore, the current project will have no effect on this resource.

In the event that archaeological resources are uncovered during the construction, a qualified archaeologist, paleontologist, and/or geologist would be contacted, depending on the importance of the find, as determined by Regional Planning and the State Historic Preservation Office, pursuant to the Marina del Rey Land Use Plan Cultural Resources policy (p.7-2).

In the event that paleontological resources or a unique geological feature is uncovered during construction, a qualified paleontologist, and/or geologist would be contacted, depending on the importance of the find, as determined by Regional Planning and the State Historic Preservation Office, pursuant to the Marina del Rey Land Use Plan Cultural Resources policy (p.7-2).

In the event that human remains or grave goods are encountered that, construction activities will immediately cease while a coroner and qualified archaeologist are contacted to determine the origin of the remains. If the remains are determined to be of Native American origin, the Native American Heritage Commission will be notified and the most likely descendant contacted. Subsequent to exhumation, the remains shall be re-interred at a location determined by the NAHC. Compliance with these measures and the rest of the regulations contained in the applicable sections of § 7050.5 of the Health and Safety Code, and § 5097.94, § 5097.98 and §5097.99 of the Public Resources Code will result in a less than significant impact related to the disturbance of human remains.